

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re :

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Hon. Steven W. Rhodes

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that, pursuant to Rule 901(b) of the Federal Rules of Bankruptcy Procedure, the undersigned hereby enters his appearance in this bankruptcy case as counsel to Michael J. Karwoski, a retired City of Detroit employee (Social Security Number: XXX-XX-9844), currently receiving a pension from the General Retirement System ("GRS") of the City of Detroit. Upon information and belief, Mr. Karwoski is a creditor in this proceeding, although to date he has received no notice in any form to that effect.

FURTHER, PLEASE TAKE NOTICE that, pursuant to Rules 2002 and 9007 of the Federal Rules of Bankruptcy Procedure, the undersigned requests that all notices and all other papers required to be served in this case be served upon the following person and that the following person be added to the mailing matrix in this case:

Michael J. Karwoski, Esq.
26015 Felicity Landing
Harrison Township, MI 48045
Telephone: 313-378-7642
E-mail: mjkarwoski@alumni.nd.edu

FURTHER, PLEASE TAKE NOTICE that the foregoing request includes not only the notices and papers referred to in the above-referenced Bankruptcy Rules, but also includes, without limitation, any notice, application, complaint, demand, motion, petition, pleading, or request, whether formal or informal, that is filed or made with regard to the above-referenced case and any proceedings therein.

Without limiting the foregoing, this Notice of Appearance and Request for Service of Papers is without prejudice to Mr. Karwoski's rights:

- 1.) To object to the eligibility and/or propriety of the City of Detroit, Michigan, to be a debtor under Chapter 9 of Title 11 of the United States Code, 11 U.S.C. Sec. 101 *et seq.*;
- 2.) To object to the inclusion of the GRS and its participants in this Chapter 9 proceeding under Secs. 12 and 18 of the Michigan "Local Financial Stability and Choice Act", Public Act 436 of 2012, without an objective determination by this Court of the extent to which the GRS is, or is not, adequately funded in light of current, generally accepted actuarial standards, including commonly used actuarial assumptions about future earnings rates of return;
- 3.) To object to the inclusion of the GRS in this Chapter 9 proceeding in contravention of Article IX, Section 24, of the Michigan Constitution, which provides: "The accrued financial benefits of each pension plan and retirement system of the state and its political subdivisions shall be a contractual obligation thereof which shall not be diminished or impaired thereby. Financial benefits arising on account of service rendered in each fiscal year shall be funded during that year and such funding shall not be used for financing unfunded accrued liabilities"; and
- 4.) To address these matters before this Court, or in any appropriate forum; this Notice of Appearance shall not be deemed or construed as a waiver of these rights.

Neither this Notice of Appearance, nor any subsequent appearance, pleading, claim or suit is intended to waive: (a) Mr. Karwoski's right to have final orders in non-core matters entered only after *de novo* review by a federal district court judge; (b) Mr. Karwoski's right to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto; (c) Mr. Karwoski's right to have the reference withdrawn by the federal district court in any matter subject to mandatory or discretionary withdrawal; (d) any other rights, claims, actions, or defenses to which Mr. Karwoski is or may be entitled in law or in equity, all of which rights, claims, actions, and defenses are expressly reserved.

MICHAEL J. KARWOSKI, ESQ.

/s/ Michael J. Karwoski
Michael J. Karwoski (P26658)
26015 Felicity Landing
Harrison Township, MI 48045
Telephone: 313-378-7642
E-mail: mjkarwoski@alumni.nd.edu

Dated: August 1, 2013